



# **BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE**

## **AGENDA**

**Monday, December 07, 2009**

*Commissioner Sidney Chism, Acting Chairman*  
*Commissioner Henri E. Brooks*  
*Commissioner Wyatt Bunker*  
*Commissioner Mike Carpenter*  
*Commissioner George Flinn*  
*Commissioner Joe Ford*

*Commissioner J.W. Gibson, II*  
*Commissioner James Harvey*  
*Commissioner Matt Kuhn*  
*Commissioner Deidre Malone*  
*Commissioner Steve Mulroy*  
*Commissioner Mike Ritz*

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12/4/2009 2:20 PM

**1:30 PM**

**COMMISSION CONVENES**

**CALL TO ORDER**

**Acting Chairman Sidney Chism**

**OPENING OF THE COMMISSION**

**Deputy Sheriff**

**INVOCATION**

**Elder George Kelley, Pastor**  
**Gilgal Temple Church of God in Christ**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Approval of Minutes of Previous Session**  
**October 21, 2009**  
**October 26, 2009**

***C O N S E N T   A G E N D A***

**Resolutions of Memorial, Sympathy and  
Commendation**

**Ordinances**

**Zoning and Subdivisions**

**Reports and/or Resolutions for Standing  
Committees**

**MALONE**

Chairman, Public  
Works Committee

1. [Resolution approving a Memorandum of Understanding with the State of Tennessee, allowing its access to certain outside areas within the County leased property at 160 North Main Street for repair and replacement of the granite paver system on the Mall plaza; and authorizing the Shelby County Mayor to execute the Memorandum of Understanding. Sponsored by Commissioner Deidre Malone.](#)

**FORD**

Chairman, Hospitals  
and Health Committee

2. [A resolution approving an amendment to a contract between Shelby County Government and Maxim Healthcare Services, Inc. d/b/a Maxim Staffing Solutions Inc. to increase the contract amount for the period July 1, 2009 through June 30, 2010 by \\$76,000.00, from the initial amount of \\$99,000.00 to an amount not to exceed \\$175,000.00 for the provision of professional health care staffing services for community-based and outpatient clinic programs and to appropriate said funds. This item requires expenditure of grant funds provided by Shelby County Board of Education in an amount not to exceed \\$175,000. Resolution sponsored by Commissioner Joe Ford.](#)

**MULROY**

Acting Chairman, Law  
Enforcement  
Committee

3. [A resolution amending the FY10 Budget in the amount of \\$42,615.88 to allow maximum expenditure of grant funds from the Shelby County 9-1-1 District, previously approved by the Shelby County Board of Commissioners and this item requires expenditure of local 9-1-1 District Grant Funds in the amount of \\$42,615.88. Sponsored by Commissioner Sidney Chism.](#)

**MULROY**

Acting Chairman, Law  
Enforcement  
Committee

4. A resolution approving a contract in the amount of \$100,000.00 for the Shelby County Office of Preparedness to accept a grant from the Interoperable Emergency Communications Grant Program (IECGP) in the amount of \$100,000, to appropriate said funds, and to approve a grant contract for same and this item requires the expenditure of pass through grant funds under the U.S. Department of Homeland Security Grant Programs in the amount of \$100,000. Sponsored by Commissioner Sidney Chism.

**FLINN**

Chairman, General  
Government  
Committee

5. Resolution approving the election of notaries public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.

**BROOKS**

Chairman, Delinquent  
Tax Property  
Committee

6. Resolution approving the sale of twelve (12) County owned delinquent tax parcels, acquired from Shelby County Trustee Tax Sale Nos. 99.4, 0203, 0204, 0205, 0303, 0405, 0406, 0501 and 0502, to identified purchasers at various prices collectively totaling \$33,500.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Henri Brooks.

**BROOKS**

Chairman, Delinquent  
Tax Property  
Committee

7. Resolution approving the sale of eight (8) County owned delinquent tax parcels, acquired from Shelby County Trustee Tax Sale Nos. 95.2, 0204, 0403, 0404, 0406, 0501, and 0502, to identified purchasers at various prices collectively totaling \$109,400.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored by Commissioner Henri Brooks.

## **REGULAR AGENDA**

### **Elections, Appointments, and Confirmations**

#### **FLINN**

Chairman, General  
Government  
Committee

8. [Resolution approving the County Mayor's nomination of Mauricio Clavo, Doug Imig, Eva Mosby and Lois Williams for reappointment to the Shelby County Head Start Policy Council. Sponsored by Commissioner George Flinn. \(AMENDED IN COMMITTEE 12/02/09\)](#)

### **Ordinances**

#### **FLINN**

Chairman, General  
Government  
Committee

9. [ORDINANCE - THIRD READING \(AMENDED\)- An ordinance to amend the Shelby County Code of Ordinances by adding a new section to Chapter 2, Article II to establish procedures for boards, commissions, authorities, and other public bodies relative to compliance with the public notice provisions of the Tennessee Open Meetings Act. Sponsored by Commissioner George Flinn.](#)

### **Zoning and Subdivisions**

### **Reports and/or Resolutions for Standing Committees**

#### **FORD**

Chairman, Hospitals  
and Health Committee

10. [Resolution approving the proposal to transfer five \(5\) MED Loop clinics from the control and operation of the Shelby County Healthcare Corporation \( The MED\) to the Memphis Health Center \(MHC\) and authorizing the Mayor to execute any and all documents necessary thereto and expressing the intent to assist MHC in startup funds of \\$2,000,000.00. Sponsored by Commissioner Joe Ford. \(AMENDED IN COMMITTEE 12/2/09\)](#)

**FORD**

Chairman, Hospitals  
and Health Committee

11. A Resolution to approve an amendment to the FY2009-2010 operating budget of the Health Services Division for the provision of the HIV/AIDS/STD Surveillance & Prevention grant program to carry forward unexpended grant funds in the amount of \$66,120.00 from the FY2008-2009 operating budget, an amendment to the FY2009-2010 Position Control Budget and appropriating said funds. This item requires the expenditure of Federal Through State Grant funds in the amount of \$66,120.00. Resolution sponsored by Commissioner Joe Ford.

**GIBSON**

Chairman, Budget and  
Finance Committee

12. Resolution authorizing the Memphis–Shelby County Airport Authority to issue a series of Airport Revenue Bonds in the principal amount of not to exceed \$70,000,000 to finance a portion of costs associated with construction of a new parking garage complex and other airport improvements. Sponsored by Commissioner James Harvey.

**GIBSON**

Chairman, Budget and  
Finance Committee

13. Resolution authorizing the Memphis–Shelby County Airport Authority to issue a series of Airport Revenue Refunding Bonds in the principal amount of not to exceed \$300,000,000 to refund certain outstanding bonds on the Authority for interest rate savings. Sponsored by Commissioner James Harvey.

**MULROY**

Acting Chairman, Law  
Enforcement  
Committee

14. A resolution approving a sub-award to the City of Bartlett on behalf of Shelby County Office of Preparedness in the amount of \$102,144.00 in accordance with the 2008 Urban Area Security Initiative Grant Funds, and this item requires the expenditure of pass through funds in the amount of \$102,144.00 under the U.S. Department of Homeland Security grant programs. Sponsored by Commissioner Sidney Chism. (AMENDED IN COMMITTEE AND DEFERRED TO 12/21/09)

**MULROY**

Acting Chairman, Law  
Enforcement  
Committee

15. Resolution amending the FY2010 Operating Budget for a grant in the amount of \$44,881 from the Tennessee Commission on Children and Youth for the District Attorney's mentoring-based Truancy Reduction Program. This item requires expenditure of federal thru state grant funds in the amount of \$44,881. This item also requires expenditure of the District Attorney General's Fraud and Economic Crime Funds in the amount of \$4,000. Sponsored by Commissioner Sidney Chism.

**CARPENTER**

Chairman, Community  
Services Committee

16. Resolution amending the FY 2010 Operating Budget for a Tennessee Commission on Children and Youth Grant in the amount of \$184,998.00 for the Juvenile Accountability Block Grant for the term October 1, 2009 to September 30, 2010. This item requires expenditure and appropriation of Grant Funds in the amount of \$184,998.00 and matching funds from the County General Fund in the amount of \$3,828.00. Additional matching funds in the amount of \$9,003.00 are hereby appropriated from the District Attorney General's Fraud and Economic Crime Fund. Sponsored by Commissioner Mike Carpenter.

**FLINN**

Chairman, General  
Government  
Committee

17. Resolution to affirm and clarify the "pick up" by Shelby County Government of employee contributions to the Shelby County Retirement System consistent with Section 414(h)(2) of the Internal Revenue Code. Sponsored by Commissioner George Flinn. (DEFERRED TO 12/21/09)

**FLINN**

Chairman, General  
Government  
Committee

18. Resolution to Amend Shelby County Retirement System Plan A to change the definition of "Spouse" with Respect to Entitlement to a Line of Duty Survivor Pension. Sponsored by Commissioner George Flinn. (SENT FROM COMMITTEE WITHOUT RECOMMENDATION)

**FLINN**

Chairman, General  
Government  
Committee

19. Resolution to Amend Shelby County Retirement System Plan B to Change the Definition of "Spouse" with Respect to Entitlement to a Line of Duty Survivor Pension. Sponsored by Commissioner George S. Flinn. (SENT FROM COMMITTEE WITHOUT RECOMMENDATION)

**FLINN**

Chairman, General  
Government  
Committee

20. Resolution to Amend Shelby County Retirement System Plan C to Change the Definition of "Spouse" with Respect to Entitlement to a Line of Duty Survivor Pension and to Add a Definition of "Line of Duty Death." Sponsored by Commissioner George S. Flinn. (SENT FROM COMMITTEE WITHOUT RECOMMENDATION)

**FLINN**

Chairman, General  
Government  
Committee

21. Resolution authorizing the Assessor Fund to retain position no. 960074 vacant over 120 days at September 30, 2009. Sponsored by Commissioner George Flinn.

**FLINN**

Chairman, General  
Government  
Committee

22. Resolution naming the building located at 616 Adams Avenue the "Dr. Vasco A. Smith Juvenile Justice Center." Sponsored by Commissioner Mike Ritz. (DEFERRED TO 12/21/09)

**FLINN**

Chairman, General  
Government  
Committee

23. Resolution requesting the County Mayor's administration to study the feasibility of providing shuttle services for County employees to and from employee parking areas. Sponsored by Commissioner James Harvey. (ADD-ON IN COMMITTEE 12/2/09)

**FLINN**

Chairman, General  
Government  
Committee

24. Resolution authorizing the Chairman of the Board of County Commissioners to publish second notice of election to fill the vacancy on the Shelby County Board of Commissioners, District 3, Position 3. Sponsored by Commissioner Mike Ritz. (ADD-ON IN COMMITTEE 12/2/09)

**FLINN**

Chairman, General  
Government  
Committee

25. Resolution approving an intergovernmental agreement by and between the City of Memphis and Shelby County Government for the Memphis City and Shelby County Government Tire Redemption Program. Sponsored by Commissioner Steve Mulroy. (ADD-ON IN COMMITTEE 12/2/09)

**MULROY**  
Chairman, Legislative  
Committee

26. [A Resolution by The Board of Commissioners of Shelby County, Tennessee, requesting The Shelby County Delegation to support, and members of The Tennessee General Assembly to enact, legislation amending Tennessee Code Annotated, Title 67, Chapter 5, Section 2504, relative to tax sales and the invalidation or rescission of certain sales. Sponsored by Commissioner Steve Mulroy.](#)

**MULROY**  
Chairman, Legislative  
Committee

27. [A Resolution by The Board of Commissioners of Shelby County, Tennessee, requesting The Shelby County Delegation to support, and members of The Tennessee General Assembly to enact, legislation amending Tennessee Code Annotated, Title 2, Chapter 3, Section 206, relative to the place and time of elections. Sponsored by Commissioner Steve Mulroy. \(SENT FROM COMMITTEE WITHOUT RECOMMENDATION\)](#)

**Announcements/Statements**

**Adjournment**

28. Resolution of adjournment to Monday, December 21, 2009 at 1:30 p.m.